

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

STATE OF LOUISIANA, STATE OF
MISSOURI, *et al.*,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official
capacity as President of the United States,
et al.,

Defendants.

Case No. 3:22-cv-01213-TAD

DECLARATION OF JOHN C. BURNS, ESQ.

1. I, John C. Burns, am over the age of 18 and make this Declaration in support of Plaintiffs' class certification motion and to provide the Court with information regarding The Burns Law Firm and its attorney, John C. Burns, for that motion.

2. I make this Declaration based on personal knowledge as to my background and that of my firm, The Burns Law Firm.

3. I appear in this case to represent the proposed class.

4. I have been a member of the Missouri State Bar since 2013. I am admitted in the Second, Fifth, Eighth, and Ninth Circuit Courts of Appeals. I am also admitted to the Eastern and Western Districts of Missouri, the Northern and Southern Districts of Illinois, and the Southern District of Texas, and have been admitted *pro hac vice* in the Western District of Virginia, the Western District of Pennsylvania, the Western District of Arkansas, the District of Arizona, and the Southern District of New York.

5. I graduated from Saint Louis University School of Law in 2013 and clerked for the Honorable Robert J. Dierker in the Circuit Court of Saint Louis, Missouri, for two years, preparing memoranda and assisting in writing decisions in virtually all practice areas, including criminal, tort, contract, and equity cases.

6. Following my clerkship, I founded the Burns Law Firm and worked for several private litigation firms which focused primarily on civil disputes, including civil rights. In my career, I have tried civil suits and managed all aspects of civil suit litigation for cases in the areas of First Amendment speech, First Amendment religious discrimination, pre-trial detainee Fourteenth Amendment rights, Fourth Amendment police misconduct, defamation, media law, complex insurance contract disputes, employment, a wide variety of personal injury disputes, property disputes, and criminal defense.

7. Since 2020, my firm has primarily focused on First Amendment issues, including access to public records, press freedoms, protected speech, defamation, and censorship.

8. I have litigated many cases at the state and federal appellate levels, including extensive extraordinary writ practice. I have also litigated disputes before administrative agencies.

9. When individuals began losing their careers because of vaccine mandates, I became one of the few attorneys in the country litigating vaccine mandate cases. I presently represent several clients in ongoing litigation against employers, which include AstraZeneca and Saint Louis University, among others.

10. As stated above, in recent years, First Amendment speech has become the principal focus of my firm. For example, I currently represent a journalist and media

property in a suit against the largest county in Arizona, challenging the latter's refusal to permit the former's participation in press conferences regarding the 2020 federal election. I am part of the team of lawyers who litigated that case before the District of Arizona and also the Ninth Circuit Court of Appeals. The case is presently pending before the Ninth Circuit. *See TGP Commc'ns, LLC v. Sellers*, No. 22-16826, 2022 WL 17484331 (9th Cir. Dec. 5, 2022) (granting preliminary injunction compelling Maricopa County to issue journalist and news website press credentials, pending outcome of appeal); *see also TGP Commc'ations, LLC v. Jack Sellers, et al*, No. CV-22-01925-PHX-JJT, 2022 WL 17177700 (D. Ariz. Nov. 23, 2022).

11. I am intimately familiar with the facts and legal issues in this case. I have spoken at length and over long periods of time with the plaintiffs about the censorship that they have experienced on social media; investigated the government's involvement in this censorship by researching officials' public statements and poring over the fruits of discovery, helped with preparation for depositions in this case, and attended many of those depositions; assisted with drafting legal briefs; and conducted a considerable amount of legal research on the subject.

12. In addition, counsel for the private Plaintiffs are coordinating closely in the litigation of this case with counsel for the State of Louisiana and the State of Missouri, who also have extensive experience in handling complex litigation against the federal government.

13. Given the experience of counsel it is my view I am fully capable of representing the members of the proposed class.

I declare under penalty of perjury that the foregoing is true and correct.

Executed On: March 17, 2023

/s/ John C. Burns
John C. Burns